

Part #16
Declaration

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT EXAMINING OPERATION

Applicant : NABIL N. GHALY
For : ELECTRONIC HAND HELD LOGIC GAME
Reissue application of U.S.
Patent No. 5,286,037
Issued February 15, 1994
Serial No. : 08/376,789
Filed : January 23, 1995
Attorney Docket : 0151-125P/JAB

ADDITIONAL DECLARATION OF NABIL N. GHALY

NABIL N. GHALY declares as follows:

1. I am the named inventor in the present reissue application and submit this Additional Declaration in connection with the submission of an Amendment After Allowance seeking to add claims to the present Reissue application which were claims of my original patent but which were subsequently deleted at the time of filing my Reissue.

2. The present Reissue application was filed to seek to broaden the scope of coverage of my patent. As set forth in my previous Declarations, I had inadvertently included limitations in my original claims which were not warranted by the scope of my invention. My original application was prosecuted pro se.

3. At the time the Reissue application was filed, original independent claims which were deemed to be too narrow were deleted from the application, and new independent claims, eliminating the overly restrictive matter, were substituted therefor. I have been advised by my attorney that the broadened claims have been found allowable.

4. I am presently commencing legal action to enforce my patent against an alleged infringement. In connection therewith, it appears that an alleged infringement may have ceased, or will cease, before the Reissue is granted. I have been informed by my attorney that it is thus necessary that the Reissue patent include claims substantially identical in scope to claims of my original patent which I contend have been infringed, to insure that any action can go forward after Reissue grant.

5. Accordingly, to insure that any claim of infringement that I may bring can be maintained subsequent to the issue of my Reissue patent, I seek to add new claims 63 through 82. These claims merely add to the Reissue application claimed subject matter identical in scope to that appearing in my issued patent, which was removed upon filing of the Reissue application as being unduly restrictive.

6. Claim 63 corresponds to original claim 1. At subparagraphs b and e, the terms "...a plurality of codes, hereinafter referred to as operating codes" and "...a plurality of codes, hereinafter referred to as color codes", have been changed to read --a plurality of operating codes-- and --a plurality of color codes--, respectively. The original language was included by me in my original claims without the benefit of counsel knowledgeable of the formation of proper claim language. No change to the scope of original claim 1 results from such grammatical change.

7. Claims 64 through 73, dependent on claim 63, correspond respectively to original dependent claims 2-6, 8, 9, 12, 14 and 15, which were originally dependent on original claim 1.

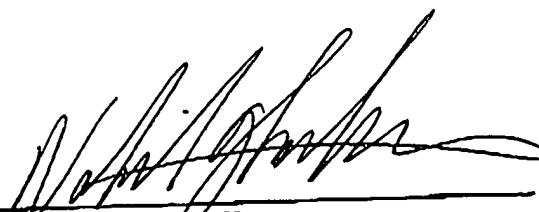
8. Independent claim 74 corresponds to independent claim 23. At subparagraphs b and f, the terms "codes, hereinafter referred to as operating codes" and "codes, hereinafter referred to as display codes" have been similarly changed as in claim 63. No change to the scope of original claim 23 has resulted from such change.

9. Claims 75 through 81, dependent on claim 74, correspond directly to original claims 24-26, 28, 29, 32 and 34, dependent on original claim 23.

10. Claim 82 corresponds to original claim 44. Once again, in subparagraphs b and e, usage of "hereinafter referred to as..." has been changed as in claims 63 and 74, and for the same reason. No change to the scope of original claim 44 results from such a change.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful, false statements and the like so made are punishable by fine, or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of this application or any patent issuing therefrom.

Executed on *September 4, 1997*



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